

MANAGEMENT PLAN

For the Designation of a Water Conservation Area (WCA) HATCHER LAND CO LP WCA; Seward County, KS January 2017 through December 2019

In order to conserve and extend the productive life of the aquifer in our region and increase the value and viability of our water rights and water resources for future generations we, the undersigned water right owners propose the following management plan, pursuant to 2015 Kansas Session Laws, Chapter 37, Sec. 1 (WCA Law), to form the basis of a Consent Agreement and Order Designating a Water Conservation Area (WCA).

Expression of Conservation

The current appropriation for the water rights included in the HATCHER LAND CO LP WCA totals 504 acre-feet annually. The average historical use (2003-2012) is 404 acre-feet per calendar year. All water diversions within the HATCHER LAND CO LP WCA are to be collectively restricted to an allocation of 1155 acre-feet (385 AF X 3) for 3-years; and are not to exceed 504 acre-feet annually.

	Acre-Feet	Inches/Acre (on 252 Acres)	% of Authorized Allocation
Annual Authorized Allocation	504	24	N/A
Historical Average Use	404	19.32	80%
WCA Annual Allocation	385	18.3	76%
WCA Annual Limitation	504	24	N/A
WCA 3-Year Allocation	1155	N/A	N/A

Water Technology Farm

As a compliment to the implementation of this WCA, HATCHER LAND CO LP is planning on participating in a Water Technology Farm. An action item in the Vision calls for the development of Water Technology Farms at locations throughout the Ogallala by working in concert with irrigation technology manufacturers and the irrigation research community. The Vision also calls for the state to work with equipment manufacturers and dealers in public-private partnerships to provide the equipment necessary to participating landowners and operators. The HATCHER LAND CO LP proposed Water Technology Farm involves two fields under center pivot irrigation. The proposal will consist of soil probes, specific nozzle upgrades, plant and soil moisture sensor comparisons, etc. The conservation potential from the irrigation technology and management changes will be documented. The base water rights considered for this WCA will be potentially part of the HATCHER LAND CO LP Water Technology Farm.

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Water Rights Enrolled and Geographical Boundaries

The HATCHER LAND CO LP WCA shall include the following water right and point of diversion. The following legal descriptions define the area included in HATCHER LAND CO LP WCA in Seward County:

Water Right Number & Qualifier ID	Twp Range & Sec
43445 ID#4	33S 33W 28

The geographic boundary for the place of use for the irrigation use is shown on the attached map and is described as follows:

- 126 Acres (center pivot irrigation circle) in the Northwest Quarter (NW ¼) of Section 28
- 126 Acres (center pivot irrigation circle) in the Northeast Quarter (NE ¼) of Section 29

Findings Regarding Groundwater Conditions

The WCA Law requires a finding that one of the following conditions be present within the area proposed as a WCA.

- Groundwater levels in the area in question are declining or have declined excessively;
- The rate of withdrawal of groundwater in the area equals or exceeds the rate of recharge within such area;

We have determined that the following conditions exist:

- Groundwater levels in the area in question are declining or have declined excessively;
- The rate of withdrawal of groundwater in the area equals or exceeds the rate of recharge;

See the attached maps and figures supporting these findings and observations:

- Location Maps
- Estimated Useable Life Map
- Water Use History
- Change in Water Level, Observation Well

These conditions necessitate the implementation of the HATCHER LAND CO LP WCA.

Due Consideration for Past Conservation

We the water right owners assert that no special consideration is required for this WCA with respect to past implementation of reductions in water use from in voluntary conservation measures.

Duration and Terms

The HATCHER LAND CO LP WCA shall be in effect upon issuance of a Consent Agreement and Order Designating a Water Conservation Area, approved by the undersigned and the Chief Engineer of the Division of Water Resources. The proposed term of the WCA is a 3-year period to start with as we implement this new technology.

- a) All allocation values shall be expressed in terms of total water volumes for the 3-year period. A multi-year (3-year allocation) shall be given to this single well and single water right for the term of the WCA.
- b) Moreover, in all cases the original water right, such as it existed before the WCA, shall be retained.

In the final year of 3-year period of the WCA, up to 25% of any unused water, of the current 3-year WCA allocation, may be rolled over and added to the allocation for a next subsequent WCA if it is requested to be continued.

Review of Effectiveness

A review of the WCA shall be completed in October 2019, to ensure the above terms remain appropriate and are achieving the stated goals of the HATCHER LAND CO LP WCA. Upon review, and a finding by the Chief Engineer that the WCA has achieved the goals stated herein and that conditions allow a renewal under the same terms for a next proposed multi-year period, if the owner chooses, the terms of the WCA may be continued.

In order to extend the life of the Ogallala Aquifer further we must consider increasing the conservation factor in future years to meet Net Irrigation Requirements (NIR) for corn for this region (county). This will be considered after the first 3-year period of the WCA. To be consistent with possible farming needs in the future, a conservation factor must be increase through time to reach sustainability, in which we feel in this area is close to the future goal we have set. We will take this goal into consideration for any proposed subsequent periods of this or any WCA. If we the water right owners volunteer to increase the level of conservation after this first 3-year period, we will revise and propose a new WCA for the chief engineer to consider.

Corrective Control Provisions and Plan for Conservation

WCA Law states that Corrective Control Provisions may include any of the following:

- Closing the water conservation area to any further appropriation of groundwater. In which event, the chief engineer shall thereafter refuse to accept any application for a permit to appropriate ground water. The area of the HATCHER LAND CO LP WCA has been closed.
- Determining the permissible total withdrawal of groundwater in the water conservation area each day, month or year, and apportioning such permissible total withdrawal among the valid groundwater right holders in such area in accordance with the relative dates of priority of such rights.
- Reducing the permissible withdrawal of groundwater by any one or more appropriators thereof, or by wells in the water conservation area.
- Requiring and specifying a system of rotation of groundwater use in the WCA area.
- Any other provisions necessary to effectuate agreed-upon water conservation goals consistent with the public interest.

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The following corrective controls will be in effect within the HATCHER LAND CO LP WCA during the term of the WCA:

- All diversions of water within the HATCHER LAND CO LP WCA are to be collectively redistricted to an allocation of 1,155 acre-feet (385 AF X 3) for 3 years.
- Any renewal of a proposed future WCA will be reviewed during the last year of this current WCA (October 2019).
- Any unused allocation during this 3-year WCA may have the option to rollover a portion of that unused quantity to any proposed subsequent WCA.
- All water right owners within the HATCHER LAND CO LP WCA shall be responsible for ensuring their water flowmeters are in compliance with state and local law(s). Any water right owner or authorized designee who finds a flow meter that is inoperable or inaccurate shall within 48 hours contact the KDA-DWR Garden City Field Office concerning the matter. Whenever an inoperable or inaccurate meter is repaired or replaced, the owner or authorized designee shall notify the KDA Garden City Field Office within seven (7) days on a form prescribed by the Chief Engineer of the water flowmeter installation and any water flowmeter repair or replacement event.
- The corrective control provisions of the HATCHER LAND CO LP WCA cannot conflict with the rules and regulations of the local GMD that result in overall conservation of water resources. If the Local Enhanced Management Area (LEMA) plan or an Intensive Groundwater Use Control Area (IGUCA) is formed after the initiation of the HATCHER LAND CO LP WCA, and the WCA is partially or wholly within the LEMA or IGUCA, the corrective control provisions that result in the greater overall conservation of water resources based in inches per acre and not based on percent reduction of average historical use shall prevail; however it must give due consideration to the WCA whom have previously implemented reduction in the water use resulting in voluntary conservation measures. The Chief Engineer is authorized to amend the provision of the WCA to conform to any rules, regulations, or requirements that result in greater conservation of the water resource subject to the foregoing due consideration for past and current conservation.

Compliance Monitoring and Enforcement

The following compliance monitoring and enforcement provisions are proposed. This section also includes any specific provisions regarding measuring or reporting water usage.

There is one recognized observation well near the HATCHER LAND CO LP WCA that has for many years been measured annually by the Kansas Geological Survey (KGS). See attached Water Right Area map. This well will continue to be measured annually and the data collected will help in evaluating the effectiveness of the WCA. An onsite observation well may be necessary to monitor the local water level.

We will submit an annual report no later than March 1st and maintain a spreadsheet detailing the following information for each well and all wells combined: beginning and ending meter readings, quantity of water diverted, acres irrigated, the inches per acre, and the quantity of water remaining

for the first three year period. The records should be maintained by the members of the WCA and available for KDA upon request.

We will agree to maintain a record of the quantity diverted under the approval at the first of each month of the period of authorization. Further, they agree to make such information available upon the request of the KDA, DWR, Chief Engineer or his/her authorized representative.

Backup measurements will be supported or an alternate measurement device in the event that the water flowmeter record for any given well is questionable or not reliable.

Water flowmeters within the WCA will be sealed to the measurement chamber by the KDA-Division of Water Resources, during the duration of this management plan to ensure an accurate water use record.

The annual allocation cannot exceed 504 acre-feet

We acknowledge that failure to abide by the terms of this agreement may result in the termination of the WCA. Failure to abide by the terms, conditions, and limitations of the individual water rights will be subject to the civil penalties outlined in K.A.R. 5-14-10.

State Law

We acknowledge that the HATCHER LAND CO LP WCA is subject to compliance with all other applicable state laws.

Member addition, withdrawal, and removal

With this proposal, we the water rights owners do not have any future plans to add additional members (landowner/water right owners) to our proposed WCA.

Termination

The HATCHER LAND CO LP WCA agreement may be terminated by written notification, signed by all then-existing members of the WCA, to the Chief Engineer of the intent to terminate.

Assurances

This management plan and any related orders will not permanently alter the authorized quantity, rate, ownership and places of use connected to any water right enrolled in the HATCHER LAND CO LP WCA.

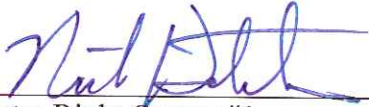
Review of Other Applicable Requirements

Upon review, the HATCHER LAND CO LP WCA management plan was found to effect equal or greater overall conservation than applicable GMD regulations, LEMA, and IGUCA requirements.

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We, the undersigned certify that we are the owners of the aforementioned water rights and hereby collectively approve and submit this management plan for approval by the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources.



Water Right Owner #1

Water Right Owner #2 (if applicable)

Additional Optional Signature

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Additional Maps & Figures:

Location Map #1-

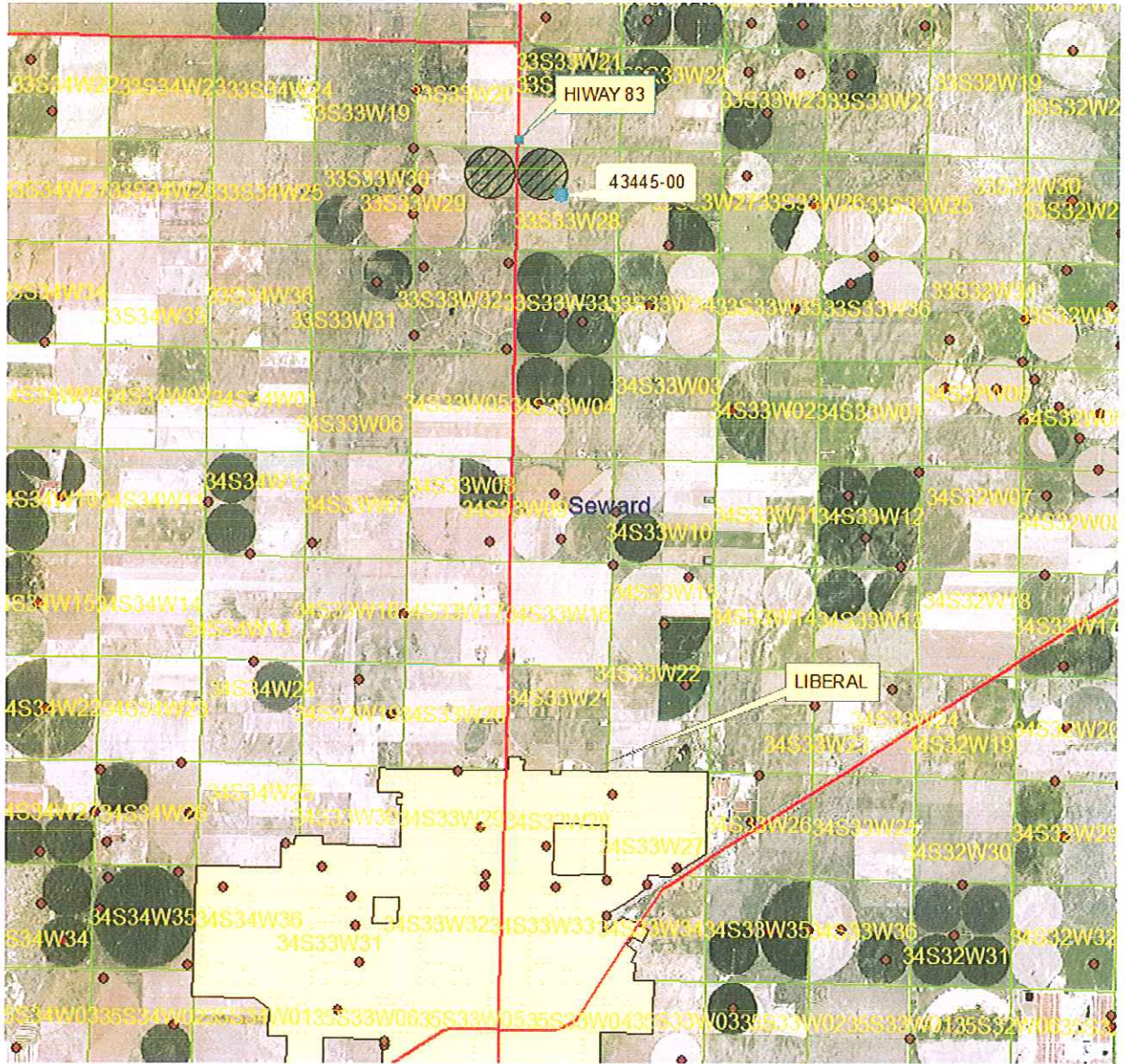


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Location Map #2-



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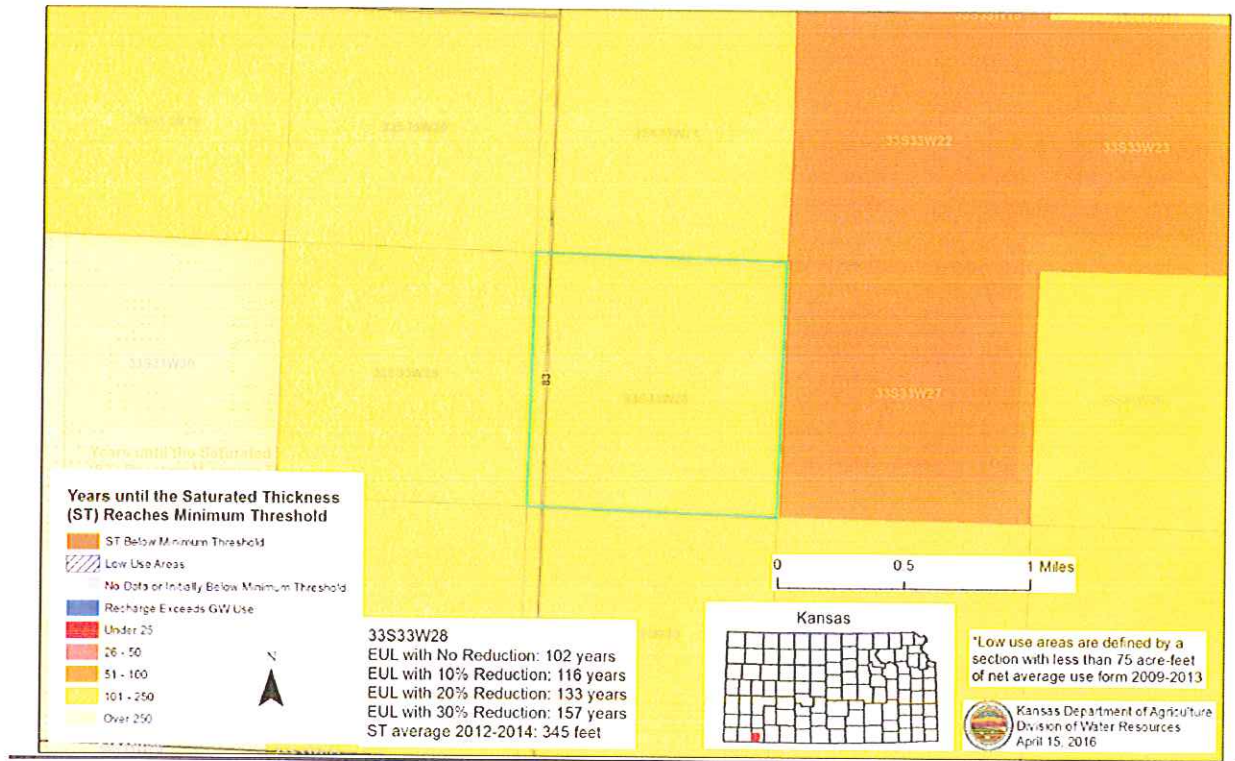
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Estimated Useable Lifetime Map-

Estimated Useable Lifetime for the High Plains Aquifer in the Area near Section 28 Township 33 South Range 32 West, No Reduction

(Based on KGS Section Level Data for saturated thickness (2012-2014) and revised minimum saturated thickness required to support 400 gpm under a 90-day pumping scenario with wells on 1/4 section, USGS average specific yield, USGS 1947 to 2007 average recharge, and DWR section-level groundwater use data 2009-2013 for an average 2-mile radius with no reduction in use)



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Water Use History-

Hatcher Farms WCA Stats

"Average Rep Use (w/i auth)" - The historical average calculated only using water reports no greater than yearly allocation. If a water report indicates a greater value than the yearly allocation than the actual value is substituted with the maximum allocation.

WR #	ID	Location (Twn, Range, Section)	Historical Use (20XX- 20XX)
43445	4	33S-33W-28	03-12

WCA Average Totals				
Total Authorized Allocation (AF)	Ave Rep Use (w/i auth) (AF)	Average Irrigated Acres	Average In/Acre	Average use of Allocation
504	404	251	19.31	80%

Recent Water Use				
2013 Use	2014 Use	2015 Use	2016 Use	Units
424	325	456	471	AF
20.27	15.54	21.81	22.50	In/acre
84%	65%	91%	93%	% of auth

10% Conservation from Historical Use				
	Total AF/year Allocation	Reduction from Average AF	% of Total Authorized Allocation	Est. Inches per Acre
Totals	385	19	76%	18.41

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Change in Water Level, Observation Well-

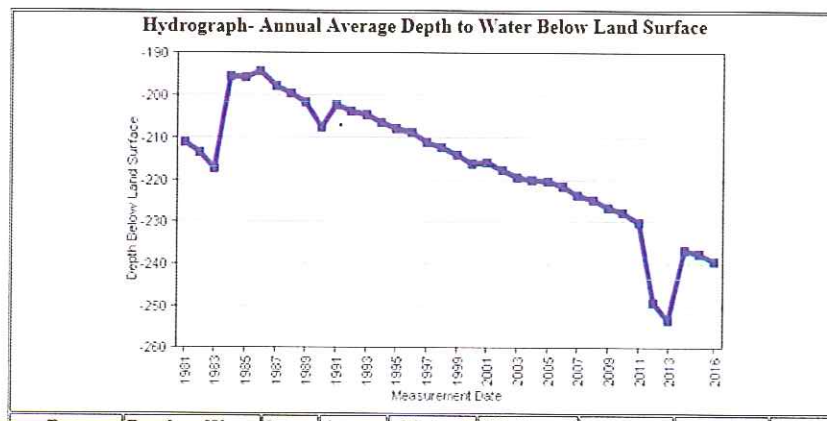
General Well Site Information ?

USGS ID:	371000100561001	KGS Local Well ID:	33S 33W 20BCC 01
County:	Seward	PLSS Description:	33S 33W 20 SWSWNW
HUC 8 Code:	11040006	GMD:	Southwest Kansas GMD #3
Longitude:	-100.940842	Lat/Long Source:	GPS (within 50 feet)
Latitude:	37.163404	Lat/Long Accuracy:	5 seconds
Surface Elevation (ft):	2866	Depth of Well (ft):	Unknown
Geological Unit Codes:	TO	USGS Map Name:	LIBERAL NW

Water Level Measurements ?

371000100561001

Note that depth to water is feet below land surface and all measurements for the well are included.



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